REMARKS

The first Office Action, mailed March 30, 2005, considered and rejected claims 1-19. Claims 1-4, 6-8, 10-12, 14-15, 17-18 were rejected under 35 U.S.C. 102(e) as being anticipated by Ishibashi, et al. (U.S. Patent No. 6,778,537). Claims 16, 19 were rejected as being over Ishibashi, et al. (U.S. Patent No. 6,778,537) in view of Hulyalkar, et al. (U.S. Patent No. 6,347,084).[1]

Some portions of the specification were also objected to due to the fact that incorrect reference numerals were referenced. By this paper, paragraphs 68 and 76 have been amended to fix and overcome these problems.

By this paper, claims 8 and 11 have also been amended, while claims 1-7 and 15-19 have been cancelled, such that claims 8-14 remain pending, of which claims 8 and 11 are the only independent claims at issue.

As recited above, claim 8 is directed to a method for emulating a constant delay network over a variable delay network. As recited, this method includes receiving multimedia packets from a transmitter application that have time transmitter application stamps. The method also includes providing a new time stamp representing the relative time the first received multimedia packet should be rendered by the receiver application in accordance with a common network time base. The method also includes receiving data representing a frequency of the transmitter application time base. Thereafter, a second multimedia packet is received from the transmitter application and a second transmitter application time stamp is generated, which represents the relative time that the information in the second multimedia packet should be rendered by the receiver application in accordance with the transmitter application time base. According to the present invention, and as further clarified by this amendment, the method for calculating the second network time stamp also includes adding to the first network time stamp, a difference between the second transmitter application time stamp and the first transmitter application time stamp to create a sum that is multiplied by the frequency of the transmitter application time base. The recited method also includes dispatching the multimedia packets to a receiver application.

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[1] Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

Claim 11 is directed to a corresponding computer program product claim set incorporating the limitations of the method recited in claim 8.

The primary reference, Ishibashi, is directed to a data processing system and time stamp creating method. However, Ishibashi fails to disclose or suggest the method recited in the pending claims. For example, among other things, Ishibashi fails to disclose or suggest any method in which a time stamp for a second received multimedia packet is calculated by "adding to the first network time stamp, a difference between the second transmitter application time stamp and the first transmitter application time stamp to create a sum that is multiplied by the frequency of the transmitter application time base," as claimed. Although, Ishibashi adds a clock time stamp to each received transport packet to synchronize reception timing, even after broadcast data is transferred over a PCI bus, Ishibashi fails to calculate time stamps in the same manner. In particular, "The time stamp (arrival time) originally added to the first transport packet [of Ishibashi] is called Original Arrival Time (OAT) and a newly added time stamp is called New Cycle Time (NCT). They are stored... As for the second and subsequent transport packets, the...output control...adds the difference between the arrival time included in each of those packets and the stored OAT to the NCT, creates a source packet header from the result of the addition, adds the header as a time stamp to the corresponding transport packet, and sends the resulting packet" on. (Col. 7, ln. 63-Col. 8, ln. 25).

Accordingly, not only does Ishibashi fail to sum a network time stamp to the difference between two received application time stamps, Ishibashi also fails to multiply that result to the frequency of the transmitter application time base. The cited disclosure of the other references, which were only cited to reject some of the dependent claims, also fails to suggest or teach such a method, particularly in combination with the other recited claim elements.

Although only the independent claims have been addressed at this time, it will be appreciated that, for at least the foregoing reasons, all of the other rejections and assertions of record with respect to the independent and dependent claims are now moot, and therefore need not be addressed individually. However, in this regard, it should be appreciated that Applicants do not necessarily acquiesce to any assertions in the Office Action that are not specifically addressed above, and hereby reserve the right to challenge those assertions at any appropriate time in the future, should the need arise, including any official notice.

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  For at least the foregoing reasons, Applicants respectfully submit that all of the pending claims 8-14 are now in condition for prompt allowance. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

  Dated this *23* day of June, 2005.

          Respectfully submitted,

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